

REMARKS/ARGUMENTS

Claims 1-28 stand rejected under 35 U.S.C. 103 as being unpatentable over U.S. Patent Publication No. US 2002/0034939 (Wenzel) in view of U.S. Patent No. 6,874,030 (Sheth et al.).

The Sheth et al. patent issued on March 29, 2005 and is assigned to Cisco Technology, Inc., which is the same assignee as the subject patent application.

The American Inventors Protection Act (AIPA) amended 35 U.S.C. § 103(c) to exclude subject matter developed by another person which qualifies as prior art under Section 102(e), provided that this subject matter and the claimed invention were commonly owned at the time the claimed invention was made.

This amendment to Section 103(c) applies to patent applications filed on or after November 29, 1999. (American Inventors Protection Act of 1999, Pub. L. No. 106-113, Sec. 4807(b)). The subject patent application was filed after November 29, 1999 and the invention was commonly owned with the subject matter of the Sheth et al. patent at the time the invention was made.

Accordingly, the pending rejection of the claims should be withdrawn.

For the foregoing reasons, Applicants believe that all of the pending claims are in condition for allowance and should be passed to issue. If the Examiner feels that a telephone conference would in any way expedite the prosecution of the application, please do not hesitate to call the undersigned at (408) 399-5608.

Respectfully submitted,



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